

AGENDA MEMO

CITY COUNCIL MEETING DATE: SEPTEMBER 5, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: WVR-22255 - APPLICANT: WAGNER HOMES - OWNER:
DAY STAR VENTURES, LLC**

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-4623), and Site Development Plan Review (SDR-4626) and (SDR-22253) if approved.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request for a Waiver of Title 18.12.160 to allow a 210 foot separation distance between intersections, where 220 feet is required is the minimum required, between the intersection of Dorrell Lane and Hualapai Way Street and the entrance for a proposed 19 lot single family residential development on 5.35 acres. Staff is recommending denial of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
Month/date/year	Action
08/04/2004	The City Council approved an Annexation (ANX-4451) petition to annex property located on the southeast corner of Hualapai Way and Dorrell Lane, containing approximately 5.0 acres.
01/19/2005	The City Council approved a request for a Site Development Plan Review (SDR-4626) for a 19-lot single-family residential development on 5.35 acres adjacent to the southeast corner of Hualapai Way and Dorrell Lane.
01/19/2005	The City Council approved a request for a Variance (VAR-5377) to allow no open space where 13,633 square feet is the minimum required for a proposed 19 lot single-family development on 5.35 acres adjacent to the southeast corner of Hualapai Way and Dorrell Lane.
04/06/2005	The City Council approved a request for a Waiver (WVR-6035) of Title 18.12.160 to allow 209 feet between street intersections where 220 feet is the minimum distance separation required for a single-family residential development on 5.35 acres adjacent to the southeast corner of Dorrell Lane and Hualapai Way.
06/09/2005	The Planning Commission approved a request for a Tentative Map (TMP-6601) for a 19 lot single family residential subdivision on 5.36 acres on the southeast corner of Hualapai Way and Dorrell Lane.
02/02/2007	The City Council approved a request for an Extension of Time (EOT-18954) of an approved Variance (VAR-5377) that allowed no open space where 13,633 square feet is the minimum required for a proposed 19 lot single-family development on 5.35 acres adjacent to the southwest corner of Hualapai Way and Dorrell Lane.
02/02/2007	The City Council approved a request for an Extension of Time (EOT-18955) of an approved Rezoning (ZON-4623) From: U (Undeveloped) [R (Rural Density Residential) General Plan Designation] To: R-PD3 (Residential Planned Development - 3 Units Per Acre) on 5.35 acres adjacent to the southeast corner of Hualapai Way and Dorrell Lane.

02/07/2007	The City Council approved a request for an Extension of Time (EOT-18955) of an approved Rezoning (ZON-4623) From: U (UNDEVELOPED) [R (Rural Density Residential) General Plan Designation] TO: R-PD3 (RESIDENTIAL Planned Development - 3 Units Per Acre) on 5.35 acres adjacent to the southeast corner of Hualapai Way and Dorrell Lane.
08/09/07	The Planning Commission recommended approval of companion item SDR-22253 concurrently with this application. The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #23/lhm).
<i>Related Building Permits/Business Licenses</i>	
Month/date/year	Description
N/A	Undeveloped
<i>Pre-Application Meeting</i>	
5/23/07	Discussed street lengths and waiver needed.
<i>Neighborhood Meeting</i>	
N/A	A neighborhood meeting is not required, nor was one held.
<i>Field Check</i>	
06/05/2007	Undeveloped lot with some fill.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	5.35 Acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	R (Rural Density Residential)	U (Undeveloped Zone [R (Rural Density Residential) General Plan Designation] under a Resolution of Intent to R-PD3 (Residential Planned Development - 3 Units per Acre
North	Tree Lot / Undeveloped	R (Rural Density Residential)	Clark County
South	Undeveloped	R (Rural Density Residential)	Clark County
East	Undeveloped	RNP (Rural Neighborhood Preservation)	Clark County

West	Multi Family	[PCD (Planned Community Development) Land Use Designation] [Medium Density Residential Cliff's Edge Special Land Use Designation]	PD (Planned Development)
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<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Trails			Y or N
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A
Waiver Request	Requirement	Staff Recommendation	
Intersection Offset to allow 210 Feet	220 Feet	PW Recommends Approval P and D Staff Recommends Denial	

ANALYSIS

This request seeks a Waiver of the requirements of the Subdivision Code, Title 18.12.160 with regard to the minimum distance required between the intersections of streets providing external access to subdivisions with other streets of 60 feet or more in width. This requirement prescribes this minimum distance as 220 feet.

Specifically, Title 18.12.160 states:

“Any intersection of any street that provides external access from a subdivision to any existing or planned street abutting the subdivision which has a right-of-way of sixty feet or more shall be offset from any other intersection by at least two hundred and twenty feet, measured from centerline to centerline. Intersections of streets providing service internally within a subdivision, where they do not intersect arterial or major streets, shall be offset a minimum of one hundred twenty five feet.”

The proposed design will allow adequate stacking and turning movements between the proposed intersection of the entry street and the nearby intersection to the north. Approximately 210 feet separate the intersection of Hualapai Way and Haley Avenue from the proposed private entry drive. Staff finds Haley Avenue progresses eastward into Clark County jurisdiction and a Rural Preservation area. The Department of Public Works does not objection to the request. However, the Waiver is not recommended as staff cannot support the related application (SDR-22253).

FINDINGS

This request is not a Zoning Code compliance issue but a request for a Waiver in Title 18.12.160 of the Subdivision Ordinance to allow approximately 210 feet between street intersections where 220 feet is the minimum distance separation.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 1

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 35 by Planning Department

APPROVALS 0

PROTESTS 1